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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91194974
Party	Defendant GFA Brands, Inc.
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Date	01/22/2014
Attachments	Applicant's Request for Additional Time at Oral Hearing.pdf(93076 bytes)

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

PROMARK BRANDS INC., & H.J.
HEINZ COMPANY,

Opposers,

v.

GFA BRANDS, INC.,

Applicant.

**Opposition Nos. 91194974 (Parent)
and Opposition No. 91196358**

U.S. Trademark Application 77/864,305
For the Mark **SMART BALANCE**

U.S. Trademark Application 77/864,268
For the Mark **SMART BALANCE**

APPLICANT’S REQUEST FOR ADDITIONAL TIME AT ORAL HEARING

Pursuant to 37 C.F.R. § 2.129(a) and TBMP § 802.05, Applicant GFA Brands, Inc. hereby requests an additional 15 minutes, for a total of 45 minutes, for oral argument at the final hearing in the above-captioned proceeding. On Friday, January 17, 2014, Applicant GFA Brands, Inc. learned that its trial brief would be stricken from the record. GFA makes this request for additional time so that it may provide the Board with guidance during oral argument regarding relevant record citations in the voluminous record as well as legal authorities that had been addressed in its trial brief. On Tuesday, January 21, 2014, attorney for Applicant, Johanna M. Wilbert, placed a call and left a message for the interlocutory attorney indicating Applicant’s intention of filing the instant Request for Additional Time at Oral Hearing, pursuant to TBMP § 541.02.

WHEREFORE, Applicant respectfully requests that the Board issue a notice of hearing allowing each party a total of 45 minutes and setting a date and time certain at which such oral argument may be had.

Dated this 22nd day of January, 2014.

/s/ Johanna M. Wilbert
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Applicant's Request For Additional Time At Oral Hearing was sent by First Class U.S. Mail, postage prepaid, with a courtesy copy via e-mail, on this 22nd day of January, 2014, to Counsel for the Opposers listed below:

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